

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 528

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, RELATING TO 2009 COMPREHENSIVE PLAN AND ZONING MAP AMENDMENTS, AMENDING THE COMPREHENSIVE PLAN MAP AND TEXT, AND AMENDING THE ZONING MAP AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council adopted the Comprehensive Plan of the City of Burien on November 17, 1997, as required by the Growth Management Act ("GMA") of 1990, as amended, and also adopted the Comprehensive Plan pursuant to RCW Chapter 35A.63; and

WHEREAS, the City Council adopted Resolution No. 295 on July 20, 2009, which established the docket of possible Comprehensive Plan amendments to be considered as part of the City's annual amendment package; and

WHEREAS, public notice was provided and the City of Burien Planning Commission held public hearings on October 13, 2009 and October 20, 2009 on the proposed amendments to the zoning map, comprehensive plan map and comprehensive plan text; and

WHEREAS, the City Council has received recommendations from the Planning Commission regarding the proposed amendments; and

WHEREAS, the City Council held public meetings on November 9, 2009, November 23, 2009, December 7, 2009 and December 14, 2009 to discuss the proposed amendments; and

WHEREAS, the City of Burien has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; and

WHEREAS, the City of Burien provided the proposed comprehensive plan amendments to the Washington State Department of Commerce on September 22, 2009 and did not receive any comments by the 60-day comment deadline of November 22, 2009; and

WHEREAS, based on careful consideration of the facts and law, including without limitation, the King County Countywide Planning Policies, public testimony and the records and files on file with the office of the City Clerk including the following;

- September 22, 2009, October 13, 2009, October 20, 2009, October 27, 2009, and November 10, 2009 Planning Commission meeting minutes;
- Planning Commission and staff recommendation reports
 - o 2009-1, Economic Development Element Text Amendments;
 - o 2009-2, Sustainability Related Text Amendments;
 - o 2009-3, Northeast Redevelopment Area Text and Map Amendments;
 - o 2009-4, Capital Facilities Element Text Amendments;

- 2009-5, Ambaum Partners Comprehensive Plan Map Amendment and Rezone Request;
- 2009-6, Larry and Carla Orht Comprehensive Plan Map Amendment and Rezone Request;

the City Council finds that amendments to the City of Burien Comprehensive Plan attached hereto comply with the Washington State Growth Management Act under RCW 36.70A.130:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1: Amendments to the Comprehensive Plan Text. The City Council hereby adopts the changes to the Burien Comprehensive Plan Text, attached as Exhibit A and incorporated by this reference as if fully set forth herein.

Section 2: Amendments to Comprehensive Plan Maps. The City Council hereby amends the Burien Comprehensive Plan Map as shown on Exhibit B and incorporated by this reference as if fully set forth herein and adopts the official Comprehensive Plan Map LU-1 as shown on Exhibit D.

Section 3: Amendments to Zoning Map. The City Council hereby amends the Burien Zoning Map as shown on Exhibit C and incorporated by this reference as if fully set forth herein and adopts the official zoning map as shown on Exhibit E.

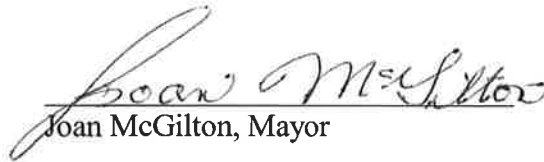
Section 4: Denial of Amendment Request 2009-6. The City Council hereby denies the Comprehensive Plan Map Amendment and Rezone request 2009-6 filed by Larry and Carla Ohrt.

Section 5: Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

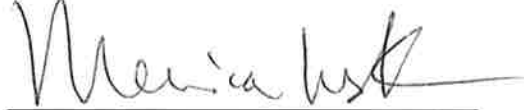
Section 6: Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

14TH ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
14TH DAY OF DECEMBER, 2009, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS
14TH DAY OF DECEMBER, 2009.

CITY OF BURIEN


Joan McGilton, Mayor

ATTEST/AUTHENTICATED:



Monica Lusk, City Clerk

Approved as to form:



Chris Bacha, Interim City Attorney
Kenyon Disend, PLLC

Filed with the City Clerk: November 12, 2009
Passed by the City Council: December 14, 2009
Ordinance No. 528
Date of Publication: December 17, 2009

Ordinance 528

Exhibit A

Comprehensive Plan Text Amendments

Comprehensive Plan Text Amendments Related to NE Redevelopment Area.

Replace entire Policy SE 1.5 with the following:

The Northeast Redevelopment Area (NERA) is an approximately 158 acre area located in the northeastern part of Burien that has been affected by SeaTac International Airport operations (see Figure 2-SE1). The NERA provides near and long term opportunities for economic development.

Allowed Uses and Description: The NERA has been divided into two land use designations: Airport Industrial (AI) and Professional Residential (PR).

Airport Industrial: The purpose of this designation is to facilitate economic development and provide flexibility for airport-compatible uses in a campus-like setting with internal circulation to minimize the number of access points to Des Moines Memorial Drive. Allowed uses include, but are not limited to flex-tech, professional offices, light manufacturing, production, processing and distribution-related businesses; warehousing, utilities, retail, and new car auto sales developed in an auto mall configuration in designated locations. New residential uses are not allowed.

Professional Residential: The purpose of this designation is to provide flexibility by allowing both single-family homes and small businesses in an area near but not directly under SeaTac International Airport's third runway. Allowed uses include, but are not limited to moderate density residential, small office, small scale retail, art studios, and other similar uses that would be compatible with single-family homes.

Comprehensive Plan Text Amendments Regarding the Capital Facilities Element.

- Pol. CF 3.2 The city shall maintain a Capital Improvement Program list that includes all projects needed to implement the comprehensive plan during the planning period. This list shall include a six-year CIP list, which should include projects that can be planned, financed and implemented during the next six years. The ~~annual-biennial~~ budget should include a CIP list of those projects authorized for funding during the next fiscal year.
- Pol. CF 3.4 Projects shall be considered funded only when incorporated into the ~~annual-biennial~~ City budget, as adopted by the City Council.
- Pol. CF 3.5 The entire CIP list shall be updated ~~annually-biennially~~ along with anticipated funding capacities as part of the ~~annual-biennial~~ budget process. While the first six-year Capital Improvements Program list is adopted by reference in this plan, future revisions to the

six-year list shall be made as part of the ~~annual~~ biennial budget process. New additions to the six year project list, which are not identified as part of the long range Capital Improvement Program list, shall be evaluated for their consistency with the comprehensive plan prior to their incorporation into the six year project list.

Pol. CF 3.6 Capital projects that are not included in the six-year Capital Facilities Plan shall be evaluated for consistency with the comprehensive plan prior to their inclusion into the City's ~~annual~~ biennial budget.

Pol. CF 3.7 City shall ~~annually~~ biennially review the capital facility project list to ensure that the proposed capital program reflects an equitable geographic distribution of projects and that the needs of the city's neighborhoods are addressed along with city wide needs.

2.11 ECONOMIC DEVELOPMENT ELEMENT

(replace entire section 2.11 with the following text)

Overall Mission Statement: *Ensure Burien is the best place to work, live, learn, shop and visit.*

Discussion: Burien City government has focused on the need to attract business and economic growth since incorporation in 1993. Working closely with the private sector, other public agencies and Burien residents, the City has participated in developing the Town Square complex, refurbishing SW 152nd Street, 4th Avenue SW, 1st Avenue South, and expanding the Transit Center. This leadership role must continue and expand to other parts of the city. Important economic development considerations are to capitalize on Burien's proximity to Sea-Tac airport, ensure the Northeast Redevelopment Area redevelops, support redevelopment along the Ambaum Boulevard corridor and SW 153rd Street, and promote wellness cluster investments centered on Highline Medical Center and other institutions. Most importantly, the City must continue to manage growth in a special way by celebrating diversity, protecting the natural environment, encouraging sustainable practices, recognizing partnerships and furthering Burien's "unique livability."

Goal ED. 1

Adopt and maintain a forward looking economic development strategy.

Pol. ED 1.1 Sponsor an ongoing community dialogue that focuses on the future of Burien's economic and business vitality.

Pol. ED 1.2 Adopt an ambitious and courageous vision and pursue it to completion.

Pol. ED 1.3 Establish a capital fund to stimulate and match private investment in key economic development projects. The City should explore use of a real estate excise tax as a financing mechanism for the fund.

Pol. ED 1.4 Set a goal to become a 'transformational city'.

Discussion: A transformational city maintains on-going dialogue with its citizens to ensure a shared responsibility for attaining the city's vision and the city's place in the broader region.

Goal ED. 2

Embrace Burien's unique "livability".

- Pol. ED 2.1 Favor development projects that build and sustain a livable community with plenty of amenities.
- Pol. ED 2.2 Support a high quality transportation system by making it convenient to travel from, to and through the City of Burien pursuant to objectives TR 1.1 – TR 9.2, MM 3.1 – MM 3.13 and TL 3.1 – TL 3.3.
- Pol. ED 2.3 Engage, and plan for, a diverse ethnic, generational and lifestyle mix of people and activities.

Goal ED. 3

Diversify the economy and promote economic vitality and employment throughout the city.

- Pol. ED 3.1 Continue to promote the development of downtown Burien as a dynamic commercial core for the Highline area pursuant to policies DB 1.1 – DB 2.11 and other downtown related policies.
- Pol. ED 3.2 Develop the Northeast Redevelopment Area as an industrial and retail area. Place a high priority on the relocation of car dealerships, airport-related industries and other uses into the area.
- Pol. ED. 3.3 A high priority should be placed on business retention and new business recruitment.
- Pol. ED 3.4 Promote Mercado/plaza development zones.
- Pol. ED 3.5 Encourage and support locally-owned, right-sized businesses.
- Pol. ED 3.6 Support tourism, hotel, bed and breakfast businesses, and cultural events to attract visitors to all parts of Burien.

Goal ED. 4

Use Economic Clusters as a strategy for focused economic growth.

- Pol. ED 4.1 Continue to promote Burien as a medical service and wellness center.
- Pol. ED 4.2 Work with the private sector and educational system to identify the educational skills needed to fill locally created well paying jobs in health care.

Pol. ED 4.3 Identify and work with other economic clusters to attract well paying jobs to Burien.

Discussion: Burien is fortunate to historically have attracted several economic clusters that act as drivers of the City's future economic well being. These include a large number of eclectic restaurants, boutique retail stores, and auto dealerships. The development of a higher education cluster emphasizing visual and performing arts should be identified as a future economic cluster opportunity in Burien. Other possible economic clusters include airport related, "green collar" jobs and non-profit organizations.

Goal ED. 5

Promote clean, sustainable, environmentally-friendly businesses and jobs.

Pol. ED 5.1 Adopt a sustainability standard to guide development policy.

Pol. ED 5.2 Capitalize on the City's support of sustainability and a healthy environment for branding, marketing and communication value.

Goal ED. 6

View art, aesthetic design and cultural events as central to businesses and job retention and creation.

Pol. ED 6.1 Recognize the economic benefit of embracing arts and culture as a signature Burien identity.

Pol. ED 6.2 Establish a "culture/art district" near the City's downtown core and pursue establishment of a small performing arts venue.

Goal ED. 7

Balance regulatory and service programs to ensure economic growth and a high quality of life.

Pol. ED 7.1 Provide high quality customer service and an equitable and efficient development review/land use permitting process.

Goal ED. 8

Maintain a strong partnership with the business community.

Pol. ED 8.1 Maintain an open dialogue with the business community.

Pol. ED 8.2 Maintain the Burien Business and Economic Development Partnership.

Goal ED. 9

Communicate openly and often with the public on economic issues.

- Pol. ED 9.1 Provide periodic reports to Council on economic development progress.
- Pol. ED 9.2 Make timely press releases, newsletters and posting on City television channel.
- Pol. ED 9.3 Keep economic development information current on City website.

Goal ED. 10

Monitor and report business and economic performance.

- Pol. ED 10.1 Annually report to the Council on the following key economic development indicators;
- Unemployment
 - retail sales
 - new business licenses
 - graduation rates
 - infrastructure investments

2.13 SUSTAINABILITY ELEMENT (A new element of the Comprehensive Plan)**Sustainability and decision making****Goal SU .1**

Decision makers should have the knowledge and tools necessary to assess sustainability in their plans and decisions.

- Pol. SU 1.1 The city should consider sustainability in all decisions.
- Pol. SU 1.2 Decision makers should set an example for the rest of the city in its sustainability efforts.

Community participation**Goal SU .2**

An informed and active community will be a cornerstone of the city's sustainability efforts.

- Pol. SU 2.1 The community and community groups should assist in both the creation and implementation of the City's sustainability strategy.
- Pol. SU 2.2 The city should promote community awareness, responsibility and participation in its sustainability efforts.

Reduce carbon emissions

Goal SU .3

Conserve energy and reduce the amount of carbon dioxide released into the atmosphere.

- Pol. SU 3.1 The City should evaluate energy use and carbon emissions and develop targets for conservation.
- Pol. SU 3.2 The community should work to become more efficient in our daily lives and our usage of resources.

Protection of Ecosystems

Goal SU .4

Prevent the loss and damage of currently functioning or distressed habitats

- Pol. SU 4.1 Emphasis should be put on both the protection of current ecosystems, and the restoration of distressed or suffering ecosystems.
- Pol. SU 4.2 Maintain and care for the land and resources which we currently have, and preserve them for the benefit of both the environment and the community in the present, and in the future.

Improved quality of life and Sustainable development

Goal SU .5

Work towards creating an attractive, vibrant, and livable community

- Pol. SU 5.1 The City and Community should work towards creating an attractive, vibrant, and livable community.
- Pol. SU 5.2 The city should continue supporting compact urban development in the downtown as a way to most efficiently use the land we have.

Table of Comprehensive Plan Map Amendments

Map Ref. No.	Description of Map Change	Reason for change	Parcel No.
Figure 2-SE1 and Map LU-1	Northeast Redevelopment Area changes	City of Burien initiated (see Docket Reference No. 2009-3)	Planning Subarea
1	One parcel change from Office to High Density Multi-Family Neighborhood.	Citizen initiated (see Docket Reference No. 2009-5)	4331400125

Figure 2-SE1 Special Planning Areas

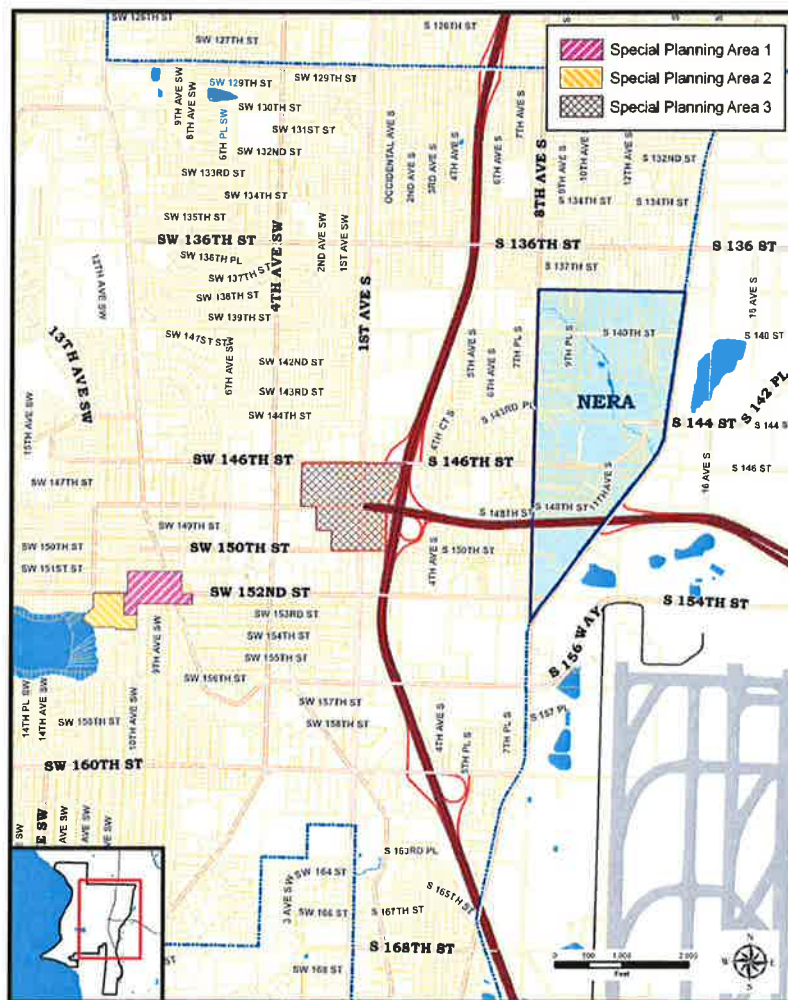


Figure 2-SE1 - Special Planning Areas

December 2009

VF041785:CCRC:ADP:msnchr/P:sgnchr/Gm:J:TKT718:CCMPPLAH_M:EDID_TKT718.m.v
Last updated: 11/04/2009
By: 3 users total

THE CITY OF BIRMINGHAM
AND COUNTY OF PITTSBURGH
OFFICE OF THE CITY CLERK
OFFICE OF THE COUNTY CLERK
OFFICE OF THE JUDGE OF THE
COURT OF COMMON PLEAS

Map LU-1 Northeast Redevelopment Area, Land Use Designations

Comprehensive Plan Map Amendments



Area of Detail

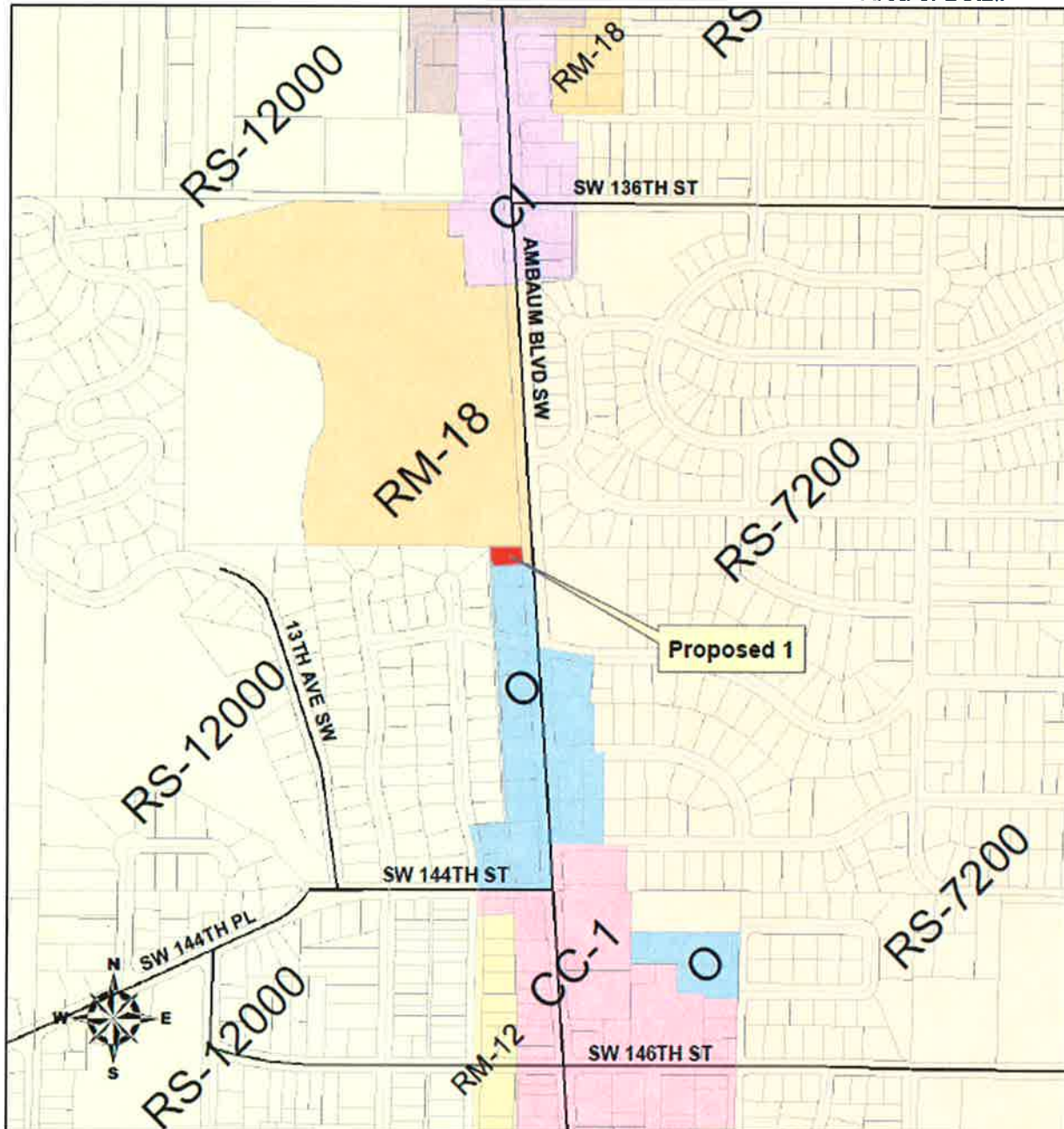
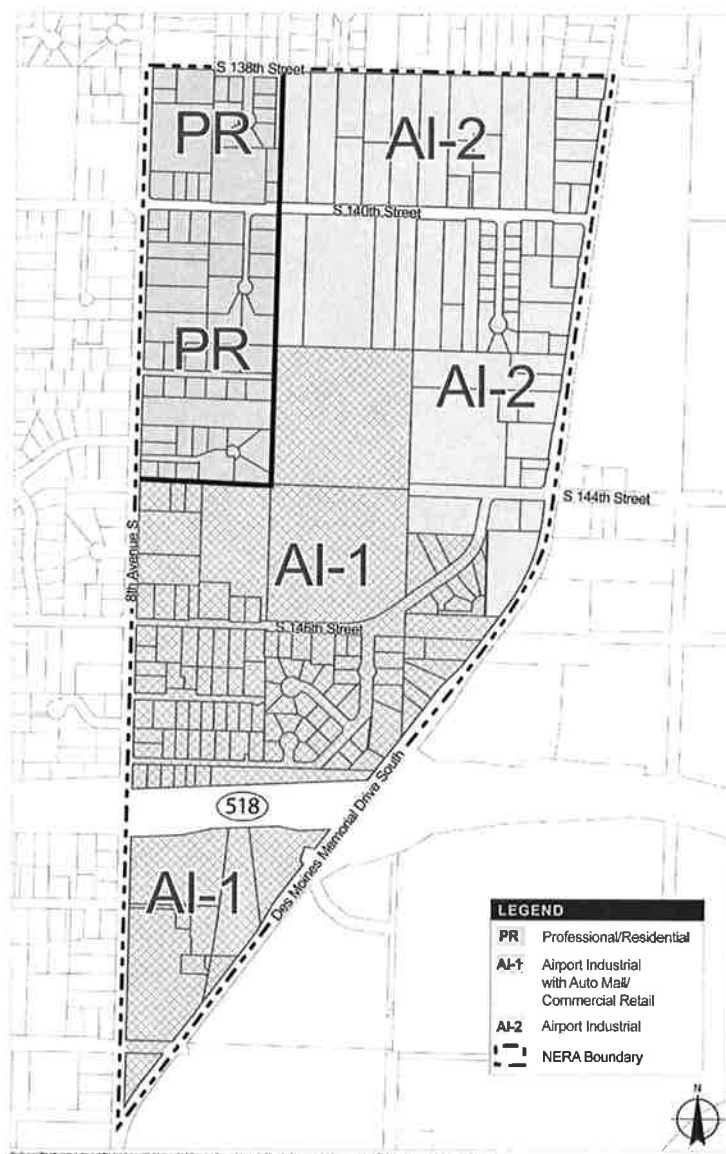
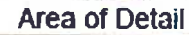


Table of Zoning Map Amendments

Map Ref. No.	Description of Map Change	Reason for change	Parcel No.
NERA Zoning	Northeast Redevelopment Area changes	City of Burien initiated (see Docket Reference No. 2009-3)	Planning subarea
1	A single parcel change from 'O' to RM-18.	Citizen initiated (see Docket Reference No. 2009-5)	4331400125

NERA ZONING





This map illustrates the zoning districts in the SW 13th Ave SW area of Portland, Oregon. The map includes the following features:

- Zoning Districts:**
 - RS-12000:** Residential Single-Family, Large Lots, covering the majority of the northern and western portions of the map.
 - RM-18:** Residential Medium-Density, Single-Family, located in the central and eastern portions.
 - RS-7200:** Residential Single-Family, Small Lots, located in the southern and eastern portions.
 - CC-1:** Community Center, located in the southern portion.
 - RM-12:** Residential Medium-Density, Single-Family, located in the southern portion.
- Streets:**
 - SW 136TH ST:** A horizontal street running across the top of the map.
 - SW 144TH ST:** A horizontal street running across the middle of the map.
 - SW 146TH ST:** A horizontal street running across the bottom of the map.
 - 13TH AVE SW:** A vertical street running down the center of the map.
 - SW 144TH PL:** A street branching off 13th Ave SW to the west.
- Proposed Project:** A red square labeled "Proposed 1" is located on 13th Ave SW, just north of SW 144TH ST.
- Other Features:**
 - A compass rose in the bottom left corner indicates North (N), South (S), East (E), and West (W).
 - Various colored areas (yellow, pink, blue, purple) represent different zoning districts or project boundaries.

Ordinance 528
Exhibit D

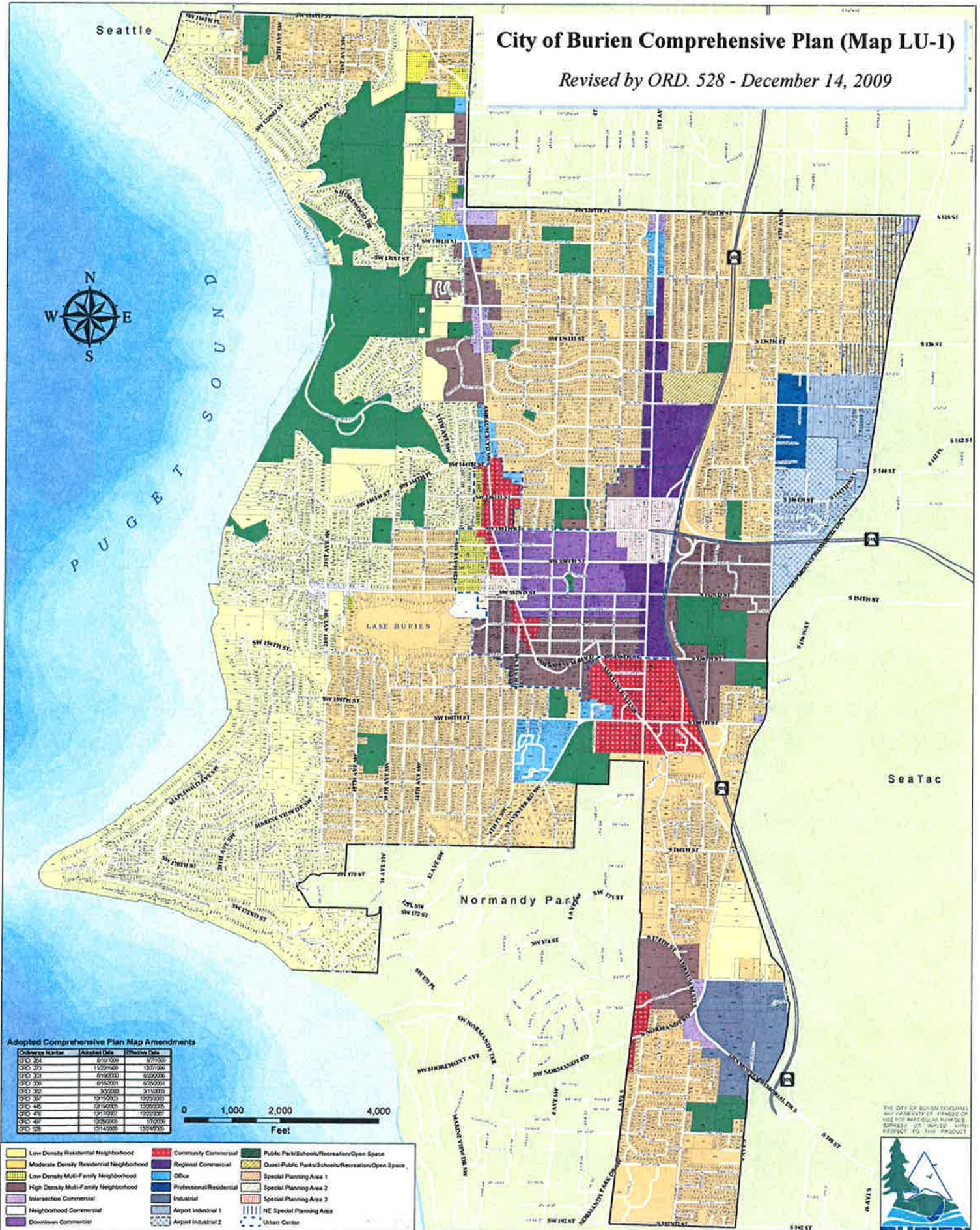
See attached City of Burien Comprehensive Plan Map (LU-1)

Ordinance 528
Exhibit E

See attached City of Burien Zoning Map

City of Burien Comprehensive Plan (Map LU-1)

Revised by ORD. 528 - December 14, 2009



Seattle

City of Burien Zoning

Revised by ORD. 528 - December 14, 2009



PUGET SOUND

Adopted Zoning Map Amendments

Ordinance Number	Adopted Date	Effective Date
ORD 264	8/9/1999	9/1/1999
ORD 273	11/29/1999	12/1/1999
ORD 303	6/16/2000	6/26/2000
ORD 335	5/19/2001	6/26/2001
ORD 362	3/26/2003	3/31/2003
ORD 387	12/15/2003	1/26/2004
ORD 445	8/19/2006	10/26/2006
ORD 456	11/11/2009	12/1/2009
ORD 487	10/26/2009	11/1/2009
ORD 505	10/14/2009	1/26/2010

0 1,000 2,000 4,000
Feet

Residential Single Family A	Intersection Commercial	Professional/Residential
Residential Single-Family 12000	Neighborhood Center	Industrial
Residential Single-Family 7,200	Downtown Commercial	Airport Industrial 1
Residential Multi-Family 12	Community Commercial 1	Airport Industrial 2
Residential Multi-Family 18	Community Commercial 2	Special Planning Area 1
Residential Multi-Family 24	Regional Commercial	Special Planning Area 2
Residential Multi-Family 48	Office	Special Planning Area 3

Normandy Park

SeaTac



ORD. 528
EXHIBIT E